IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 783 of 2001

For Approval and Signature:

HONOURABLE MR.JUSTICE KS JHAVERI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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G S R T CORPN - Petitioner(s)

Versus

VK BHADORIA - Respondent(s)

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Appearance :
MR ASHISH M DAGLI for Petitioner(s) : 1,
RULE SERVED for Respondent(s) : 1,
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CORAM : HONOURABLE MR.JUSTICE KS JHAVERI

Date : 06/12/2005

ORAL JUDGMENT

1. This petition is directed against the award dated 22.3.2000 passed by the Industrial Tribunal, Bhavnagar, in Reference (I.T.) No.14 of 1994 whereby the Tribunal allowed the Reference and and directed the petitioner to

pay the respondent an amount which he is entitled for within 30 days from the date of publication of the award.

2. The short facts of the case are that the respondent was working as Clerk with the petitioner. Because of the negligence on the part of the respondent the petitioner had to suffer financial loss. Therefore a chargesheet was issued to the respondent and after conducting inquiry imposed a penalty of stoppage of adhoc yearly increment for six months without cumulative effect. The respondent therefore raised a dispute which was referred to the Labour Court which passed the aforesaid award.

3. I have perused the relevant documents on record. The Tribunal has passed the order on the ground that in the inquiry the charge was not proved. There is nothing on record to establish that the inquiry was conducted properly. Therefore, I am in complete agreement with the reasonings adopted and findings arrived at by the Labour Court. This petition is, therefore, rejected. Rule is discharged with no order as to costs.

[K.S. JHAVERI, J.]

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